

Adopted March 3, 2010

**RESOLUTION CONCERNING
AQUACULTURE LICENSE FEES ASSESSED BY
THE TIDELANDS RESOURCE COUNCIL**

Need for Policy

This policy is to ensure that large shellfishing structures are licensed appropriately. Individual shellfish markers (i.e. a single stick in the water) are not required to be licensed through the Tidelands Resource Council (TRC). This is consistent with the approach taken with moorings. Fields are licensed, but individual moorings, such as you might find on a street end, are not.

To be clear, the TRC is not regulating the shellfishing activity; it is only licensing the occupation of the tidally flowed area.

Reason for Policy

Numerous applications for rack and bag systems, net systems, etc. have come into the Bureau of Tidelands Management. These activities are unique in that they take up large areas of land (water) that would otherwise be open waters of the State. In addition, they could be, but are not always, in open water *without* waterfront access. However, in some cases, like the rack and bag systems, acres of water could be occupied, thereby restricting boat traffic in the area.

Requirements

- 1) In those cases where the structure is clearly visible from land or where the structure would impede local navigation, upland owner approval would be required for a license to be issued. The TRC will not approve a license without upland owner approval in these cases.
- 2) As it is not clear what the impact will be on the open State waters, these licenses will be limited to a 3 year term, but will be renewable and revocable.

- 3) The license will be charged at a nominal rate of \$0.01 per square foot since it is difficult at best to determine a true economic value for the area.
- 4) This policy shall be re-evaluated in 3 years and presented to the TRC prior to renewing the current licenses.